

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ADAM D. WHITE,

Plaintiff,

-against-

***[PROPOSED]***  
**JUDGMENT AGAINST  
SHOLEM KLEIN**

**23-cv-06924 (RER)(MMH)**

SHOLEM KLEIN, THE CITY OF NEW YORK, NEW  
YORK CITY POLICE DEPARTMENT ("NYPD")  
SERGEANT LEIGHTON BARRETT, NYPD  
SERGEANT KURT KLENKE, NYPD OFFICER  
AHMED ALI, NYPD OFFICER PALAKPREET KAUR,  
NYPD OFFICER ADAM PHILLIPS, NYPD OFFICER  
CARLOS REBOLLEDOCORTES, AND NYPD  
OFFICER IKRAM ULLAH,

Defendants.  
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**WHEREAS**, Plaintiff commenced this action by filing a complaint on September 19, 2023, alleging that Defendants violated Plaintiff's rights under the federal constitution and state law; and

**WHEREAS**, on February 21, 2025, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Sholem Klein offered to allow Plaintiff to take judgment against him in this action for the total sum of Four Thousand and One (\$4,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs to the date of the offer – February 21, 2025 - for Plaintiff's federal claims against Defendant Sholem Klein; and

**WHEREAS**, on March 5, 2025, Plaintiff provided Defendant Klein with written notice that Plaintiff had accepted his Rule 68 Offer of Judgment;

**NOW, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Plaintiff Adam D. White hereby takes judgment against Defendant Sholem Klein this action for the total sum of

Four Thousand and One (\$4,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs to the date of the offer – that is, March 5, 2025 – for Plaintiff's federal claims against Defendant Klein.

2. This judgment is in full satisfaction of all federal and state law claims or rights that Plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendant Sholem Klein or any agent, either past or present, of Defendant Klein, in connection with the facts and circumstances that are the subject of this action.

3. Defendant Klein's Offer of Judgment was made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by Defendant Klein; nor is it an admission that Plaintiff has suffered any damages.

4. By accepting the Defendant Klein's Offer of Judgment, Plaintiff releases and discharges Defendant Klein, his successors or assigns, and agents, from any and all claims that were or could have been alleged by Plaintiff arising out of the facts and circumstances that are the subject of this action.

5. By accepting Defendant Klein's Offer of Judgment, Plaintiff waives Plaintiff's right to any claim for interest on the amount of the judgment.

6. By accepting Defendant Klein's Offer of Judgment, Plaintiff agrees that the aforesaid payment of Four Thousand and One (\$4,001.00) Dollars to Adam White within ninety (90) days of the date of acceptance of the offer – that is, March 5, 2025 - shall be a reasonable time for such payment, unless Plaintiff received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part. If Plaintiff is a Medicare recipient who received medical treatment in connection with

the claims in this case, the ninety (90) day period for payment shall start to run from the date the Plaintiff submits to Counsel for Defendant Klein a final demand letter from Medicare.

7. By acceptance Defendant Klein's Offer of Judgment, Plaintiff agrees to resolve any claim that Medicare may have for reimbursement of conditional payments it has made as secondary payer, and a Medicare Set-Aside Trust shall be created, if required by 42 U.S.C. § 1395y(b) and 42 C.F.R. §§ 411.22 through 411.26. Plaintiff further agrees to hold harmless Defendant Klein, and his representatives and agents, regarding any past and/or future Medicare payments, presently known or unknown, made in connection with this matter.

Dated: Brooklyn, New York  
\_\_\_\_\_, 2025

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HON.